

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BEGASHAW AYELE,

Plaintiff,

V.

COGNISA SECURITY COMPANY, INC.,

Defendant.

Civil Action No.: 04CV12217-PBS

DEFENDANT’S MOTION TO COMPEL DISCOVERY

Pursuant to Federal Rule of Civil Procedure 37 and Local Rules 26.2(C) and 37.1, Defendant Cognisa Security Inc. (hereinafter “Cognisa”) hereby respectfully moves this Court for an Order: (a) compelling Plaintiff to answer Interrogatories 1, 2, 3, and 4 in Cognisa’s First Set of Interrogatories; (b) compelling Plaintiff to supplement his Initial Disclosures; (c) compelling Plaintiff to appear for the continuation of his deposition and to answer questions related to alleged comparators’ identities and knowledge; and (d) awarding Cognisa the expenses and attorneys’ fees reasonably incurred in the preparation of this Motion and its earlier efforts to obtain discovery responses from Plaintiff. In support of this Motion, Cognisa relies on its Memorandum of Law in Support of Motion to Compel Discovery, which is being filed contemporaneously herewith.

Respectfully submitted,

COGNISA SECURITY, INC.

By its attorneys

/s/Bronwyn L. Roberts

Bronwyn L. Roberts, BBO# 638079

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Dated: May 26, 2005

CERTIFICATION UNDER L.R. 7.1(A)(2), 26.2(C) AND 37.1(A)

The undersigned hereby certifies that on May 18, 2005 at approximately 11:30 AM counsel for defendant Cognisa Security, Inc. conferred with the plaintiff in good faith to resolve or narrow the issue raised by this motion. The parties were unable to reach agreement.

/s/ Bronwyn L. Roberts

Bronwyn L. Roberts, BBO# 638079

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_____)	
BEGASHAW AYELE,)	
)	
Plaintiff,)	
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)	
COGNISA SECURITY COMPANY, INC.,)	
)	
Defendant.)	
_____)	

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of May, 2005, I electronically filed the foregoing MOTION TO COMPEL DISCOVERY with the Clerk of Court using the CM/ECF system.

I further certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participant:

Begashaw Ayele
261 O'Callaghan Way #816
South Boston, MA 02127

/s/ Bronwyn L. Roberts
Bronwyn L. Roberts, BBO# 638079